REMARKS

As a preliminary matter, Applicants thank the Examiner for the acknowledgement of allowable subject matter in at least claims 2 and 10.

Claims 1, 4, 7, 9, 12, 15, and 17 stand rejected under 35 U.S.C. 102(b) as being anticipated by Hubis (U.S. 6,321,298). Applicants respectfully traverse this rejection for at least the reasons of record, for reasons based on the Examiner's own admissions regarding the deficiencies in Hubis, and as follows.

Although the Examiner notes (page 2 of the outstanding Office Action) that the previous obviousness rejection of claims 1-16 based in part on the same Hubis reference was withdrawn in light of Applicants' arguments, the Examiner nevertheless still rejects many of these claims in the outstanding Office Action based on the same reference. This rejection is inappropriate therefore, for at least the reasons of record. The Examiner himself has admitted (second paragraph on page 6 of the Office Action mailed August 21, 2006) that Hubis fails to disclose a first mirror management table in the first controller or the second mirror management table in the second controller, and according to the definition of these terms in the present Specification. Nothing in the Examiner's present remarks indicates that this original admission was mistaken. Accordingly, the rejection based on Hubis alone is deficient on its face for at least these reasons.

Furthermore, the proposed derivation that appears on pages 2-3 of the outstanding Office Action, namely, the Examiner's explanation for how a mirror management table may be allegedly derived from other teachings in Hubis, is also clearly

inappropriate. A "mirror management table" is an art-recognized term, as evidenced by the Examiner's own previous reliance upon the Kitamura reference (U.S. 6,247,012), but which the Examiner has since withdrawn. Moreover, a mirror management table is also clearly defined and illustrated throughout the present Specification. The Examiner is not entitled to rely only upon a dictionary definition as a primary reference, when both the present Specification and the prior art of record clearly contradict the meaning the Examiner seeks to derive from the dictionary. See Phillips v. EWH Corp. 415 F.3d 1303 (Fed. Cir. 2005). Accordingly, the present attempt to redefine what can constitute a "mirror management table" in the present claims is clearly erroneous, and fails to establish that such features are in any way anticipated by Hubis.

Even if the Examiner were entitled to ignore the clear definitions in the present Specification and the prior art, the attempted redefinition of what may constitute a "mirror management table" is also inherently inconsistent within itself. The rejection essentially attempts to assert that a program or subroutine comprising a list of computer *instructions* will satisfy the definition of a "mirror management table" when such a program executes a mirroring operation between two controllers. The dictionary definition relied upon in the rejection, however, defines a "table" as a "systematic arrangement of data." (Emphasis added). One of ordinary skill in this field of art is easily apprised that a list of programming instructions is not at all "a systematic arrangement of data." "Data" is typically known as passive information that is acted upon by the instructions in a program. The program instructions are not considered to be the data itself. Therefore, the Examiner's own definition

of what can constitute a "table" cannot be satisfied by the "listing of instructions" cited from Hubis. Accordingly, the rejection is further deficient for at least these reasons.

The rejection is still further deficient because, even if a "table of instructions" could be broadly considered to constitute a "table," even such an unreasonable interpretation of the Hubis reference could not read upon the present invention. The present invention features that the first controller acquires a storage page in the mirror area of the second controller by referring to a first mirror management table in the first controller. Hubis, however, expressly states that the cited write command (128) is not issued by either of the two controllers, but in fact, by the host computer (102). (Col. 3, lines 26-27). Hubis even further teaches that the write command 128 "includes data 138," which therefore is clearly not part of the executable lines of code from the command 128. No interpretation of the reference, whether reasonable or unreasonable, could therefore arrive at the additional conclusion that the first controller acquires a storage page in the mirror area of the second controller by referring to the first management table (in the first controller). Hubis simply does not describe that the first controller actively "refers to" either the write command 128 or to the write program 206. Accordingly, the stated basis for the rejection is still further deficient for at least these reasons, and should again be withdrawn.

Lastly, the Examiner incorrectly asserts, on page 3 of the outstanding Office Action, paragraph 5, that Applicants had previously argued that Hubis fails to disclose "one controller managing a paging allocation of a mirror area in the other controller." This assertion is incorrect formatting a significant portion of Applicants' previous statements that

further referred to the related limitations of "...by referring to the mirror management table in the first controller." The Examiner can see, in the first paragraph on page 11 of Amendment C, filed January 22, 2007, that the deficiency in the references, as stressed by Applicants, was how the references (and Hubis in particular) failed to teach or suggest any link or relationship between the mirror area and one controller and the mirror management table and the other controller. This deficiency in Hubis has still not been sufficiently been answered.

Claims 3 and 11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hubis in view of Tan et al. ("A Taxonomy-Based Comparison of Several Distributed Shared Memory Systems"). Claims 5 and 13 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hubis in view of Beardsley et al. (U.S. 6,304,980). Claims 6 and 14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hubis in view of Rosson ("Interface-Based Design"). Claims 8 and 16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hubis in view of Li et al. ("Evaluation of Memory System Extensions"). Applicants therefore traverse all of these rejections for at least the reasons discussed above. All of these claims depend either directly or indirectly from one of independent claims 1 and 9, and therefore all of these claims should be in condition for allowance for at least the reasons discussed above traversing the rejection of the respective independent claims based on Hubis alone. Hubis remains the base reference for all of these rejections.

For all of the foregoing reasons, Applicants submit that this Application, including claims 1-17, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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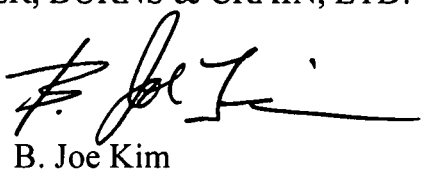
By 

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